

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LIONEL BLANKS,
Plaintiff,

v.

STATE OF CALIFORNIA,
Defendant.

Case No. [14-cv-05048-VC](#)

**ORDER OF DISMISSAL WITHOUT
PREJUDICE**

Petitioner Lionel Blanks filed a *pro se* petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On January 26, 2015, the Court issued an order for Blanks to show cause, within twenty-one (21) days from the date of the order, why his petition should not be dismissed for failure to exhaust state remedies. On February 25, 2015, the Court granted Blanks' motion for a thirty day extension of time to respond to the order to show that some or all of his claims are exhausted. On March 16, 2015, instead of responding to the order to show cause, Blanks filed a request for reversal of the January 9, 2015 order dismissing his petition for failure to pay the filing fee or a completed *in forma pauperis* ("IFP") application. *See* Dkt No. 13. This request is moot because, on January 26, 2015, after Blanks filed a completed application to proceed IFP, the Court vacated its dismissal order and reopened the case. *See* Dkt. No. 10.

The deadline for Blanks to show cause that some or all of his claims are exhausted has passed and he has not done so. Therefore, this action is dismissed without prejudice to Blanks refiling it when he can show that some or all of his claims have been exhausted.

IT IS SO ORDERED.

Dated: April 2, 2015


VINCE CHHABRIA
United States District Judge